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AUG 29 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Miller, et al.  
Serial No. : 09/730,214 Examiner: M. Borin  
Filed : December 5, 2000 Group Art Unit: 1631  
For : METHOD AND SYSTEM FOR DESIGNING PROTEINS AND  
PROTEIN BACKBONE CONFIGURATIONS

<b>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below at the facsimile number <u>571-273-8300</u> .	
Richard J. Sterner	35,372
Agent Name	PTO Reg. No.
<i>Richard J. Sterner</i>	August 29, 2005
Signature	Date of Signature

Attn.: M. Borin  
Art Unit: 1631  
Fax No.: 571-273-8300  
No. of pages: 7  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE COMMUNICATION

Sir:

This is in response to the Office Communication mailed July 28, 2005. Full consideration of Applicants' April 26, 2005 Amendment and Response and the following remarks is respectfully requested. This Response is timely as August 28<sup>th</sup> was a Sunday.

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Docket No. 1125722-0005

In the July 28, 2005 Office Communication, the Examiner asserts that Applicants' April 26, 2005 Amendment and Response is not fully responsive to the outstanding Office Action. The Examiner contends that Applicants did not respond to the rejection under 35 U.S.C. §101 set forth in section 4 of that Action.

The Examiner apparently believes that there is justification for deeming Applicants' response incomplete, because it did not address the issues in the exact order that they were found in the outstanding Office Action and on a "point-by-point" basis. However, it is Applicants' belief that, even though they did not divide their response to these particular rejections into two separate sections corresponding to the two separate sections found in the outstanding Office Action, they did address all of the §101 rejections in section VI of their response.

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Notwithstanding the fact that their last response should have been considered complete in the first place, in the interest of avoiding further delays in prosecution Applicants provide on the following three pages a new, separate set of remarks under the heading "Rejection under U.S.C. §101 (Non-Statutory Invention)."